

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

IN RE MICROSOFT CORP.
ANTITRUST LITIGATION

This Document relates to:

Burst.com, Inc. v. Microsoft Corp.

Civil Action No. C-02-02952

MDL Docket No. 1332

Hon. J. Frederick Motz

**MICROSOFT CORPORATION'S MOTION TO FILE
CERTAIN MATERIAL UNDER SEAL**

Defendant Microsoft Corporation (“Microsoft”) hereby moves, pursuant to Local Rule 105.11, for an order directing the filing of the following material under seal: Microsoft’s Memorandum in Opposition to Burst.com’s Motion for Additional Time to Depose William H. Gates, III and Exhibits 1 and 2 thereto.

Microsoft respectfully requests that this document be filed under seal because it includes information designated as “Confidential” or “Highly Confidential” pursuant to the Stipulated Revised Protective Order entered by the Court on September 5, 2000. Inasmuch as Plaintiff’s original motion was filed under seal and no public redacted version of the motion was filed, Microsoft has not filed a public redacted version of this document.

Dated: September 16, 2004

Philip L. Graham, Jr.
David B. Tulchin
Marc De Leeuw
SULLIVAN & CROMWELL
125 Broad Street
New York, New York 10004-2498
Telephone: (212) 558-4000

MICROSOFT CORPORATION

By:


Michael F. Brockmeyer (Fed. Bar No. 02307)
PIPER RUDNICK LLP
6225 Smith Avenue
Baltimore, Maryland 21209
Telephone: (410) 580-3000

Thomas W. Burt
Richard J. Wallis
Steven J. Aeschbacher
MICROSOFT CORPORATION
One Microsoft Way
Redmond, Washington 98052
Telephone: (425) 936-8080

Charles W. Douglas
Richard A. Cederoth
John W. Treece
SIDLEY AUSTIN BROWN & WOOD
Bank One Plaza, 10 South Dearborn Street
Chicago, Illinois 60603
(312) 853-7000

Attorneys for Defendant Microsoft Corporation

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 16, 2004, I caused a copy of the foregoing to be sent via email and overnight delivery to:

Spencer Hosie
Bruce J. Wecker
John McArthur
HOSIE, FROST, LARGE & McARTHUR
One Market Spear Street Tower, 22nd Floor
San Francisco, CA 94105

Robert Yorio
Mary A. Wiggins
CARR & FERRELL, LLP
2225 East Bayshore Road
Suite 200
Palo Alto, CA 94303



Michael F. Brockmeyer